IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5708 of 2007()

CRIME NO.275/07 OF THRISSUR TOWN EAST POLICE STATION

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: PETITIONER/ACCUSED NO.6:

B. SRIDHAR, S/O. BALAKRISHNAN,
'KOUNDANYA', POOTHOLE, THRISSUR-680 003.

BY ADV. SRI.N.K.SUBRAMANIAN
SRI.S.ANANTHAKRISHNAN

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
THRISSUR TOWN EAST POLICE STATION, THRISSUR.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5708 of 2007

Dated this the 1st day of October, 2007

ORDER

Application for anticipatory bail. The petitioner faces allegations under Section 420 I.P.C. The crux of the allegations is that a kuri company has not paid and discharged the liability to the defacto complainant. The petitioner is arrayed as the 6th accused. The soul of the contention of the petitioner is that he had absolutely nothing to do with the said kuri company on the relevant date. The learned counsel for the petitioner, in these circumstances, prays that anticipatory bail may be granted to the petitioner.

2. The learned Public Prosecutor after taking instructions submits that the Investigating Officer is only investigating into the crime and at the moment, it is not possible to assert that the petitioner was a Director on the relevant date. The investigator wants to further investigate into the matter and ascertain details. In these circumstances, the learned Public Prosecutor does not oppose the prayer for anticipatory bail. Appropriate conditions may be imposed in the interests of a fair, efficient and expeditious investigation, submits the learned Public Prosecutor .

3. I am satisfied that anticipatory bail can be granted to the petitioner in the circumstances to which I have already made a brief reference above.

4. In the result, the Bail Application is, allowed. The following directions are issued under Section 438 Cr.P.C.

i) The petitioner shall appear before the learned Magistrate at 11 a.m on 08.10.2007. He shall be enlarged on regular bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of one month and thereafter as and when directed by the Investigating Officer in writing to do so;

iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law as if those directions were not issued at all;

iv) If the petitioner were arrested prior to his surrender on 08.10.07 as directed in clause (1) above, he shall be released from

custody on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) without any sureties undertaking to appear before the learned Magistrate on 08.10.07.

(R.BASANT, JUDGE)

rtr/-